



Rep. Jack D. Franks

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1 AMENDMENT TO HOUSE BILL 2700

2 AMENDMENT NO. _____. Amend House Bill 2700 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Banking Act is amended by adding
5 Section 5g as follows:

6 (205 ILCS 5/5g new)

7 Sec. 5g. Savings promotion raffle.

8 (a) As used in this Section, "savings promotion raffle" has
9 the same meaning as that term is given in Section 20 of the
10 Federal Deposit Insurance Act (12 U.S.C. 1829a).

11 (b) If authorized by its board of directors, a State bank
12 may conduct a savings promotion raffle. The savings promotion
13 raffle shall be conducted so that each token or ticket
14 representing an entry in the savings promotion raffle has an
15 equal chance of being drawn. A State bank shall not conduct a
16 savings promotion raffle in a manner that jeopardizes the State

1 bank's safety and soundness or misleads its customers.

2 (c) The Secretary may examine the conduct of a savings
3 promotion raffle and may issue a cease and desist order for a
4 violation of this Section.

5 (d) A State bank shall maintain records sufficient to
6 facilitate an audit of the savings promotion raffle.

7 Section 10. The Savings Bank Act is amended by adding
8 Section 7008 as follows:

9 (205 ILCS 205/7008 new)

10 Sec. 7008. Savings promotion raffle.

11 (a) As used in this Section, "savings promotion raffle" has
12 the same meaning as that term is given in Section 4 of the Home
13 Owners' Loan Act (12 U.S.C. 1463).

14 (b) If authorized by its board of directors, a savings bank
15 may conduct a savings promotion raffle. The savings promotion
16 raffle shall be conducted so that each token or ticket
17 representing an entry in the savings promotion raffle has an
18 equal chance of being drawn. A savings bank shall not conduct a
19 savings promotion raffle in a manner that jeopardizes the
20 savings bank's safety and soundness or misleads its customers.

21 (c) The Secretary may examine the conduct of a savings
22 promotion raffle and may issue a cease and desist order for a
23 violation of this Section.

24 (d) A savings bank shall maintain records sufficient to

1 facilitate an audit of the savings promotion raffle.

2 Section 15. The Illinois Credit Union Act is amended by
3 adding Section 42.7 as follows:

4 (205 ILCS 305/42.7 new)

5 Sec. 42.7. Savings promotion raffle.

6 (a) As used in this Section, "savings promotion raffle"
7 means a raffle conducted by a credit union where the sole
8 consideration required for a chance of winning designated
9 prizes is the deposit of at least a specified amount of money
10 in a savings account or other savings program offered by the
11 credit union.

12 (b) If authorized by its board of directors, a credit union
13 may conduct a savings promotion raffle. The savings promotion
14 raffle shall be conducted so that each token or ticket
15 representing an entry in the savings promotion raffle has an
16 equal chance of being drawn. A credit union shall not conduct a
17 savings promotion raffle in a manner that jeopardizes the
18 credit union's safety and soundness or mislead its members.

19 (c) The Secretary may examine the conduct of a savings
20 promotion raffle and may issue a cease and desist order for a
21 violation of this Section.

22 (d) A credit union shall maintain records sufficient to
23 facilitate an audit of the savings promotion raffle.

1 Section 20. The Raffles and Poker Runs Act is amended by
2 changing Section 1 as follows:

3 (230 ILCS 15/1) (from Ch. 85, par. 2301)

4 Sec. 1. Definitions. For the purposes of this Act the terms
5 defined in this Section have the meanings given them.

6 "Net proceeds" means the gross receipts from the conduct of
7 raffles, less reasonable sums expended for prizes, local
8 license fees and other reasonable operating expenses incurred
9 as a result of operating a raffle or poker run.

10 "Key location" means the location where the poker run
11 concludes and the prize or prizes are awarded.

12 "Poker run" means an event organized by an organization
13 licensed under this Act in which participants travel to
14 multiple predetermined locations, including a key location,
15 drawing a playing card or equivalent item at each location, in
16 order to assemble a facsimile of a poker hand or other numeric
17 score. "Poker run" includes dice runs, marble runs, or other
18 events where the objective is to build the best hand or highest
19 score by obtaining an item at each location.

20 "Raffle" means a form of lottery, as defined in Section
21 28-2(b) of the Criminal Code of 2012, conducted by an
22 organization licensed under this Act, in which:

23 (1) the player pays or agrees to pay something of value
24 for a chance, represented and differentiated by a number or
25 by a combination of numbers or by some other medium, one or

1 more of which chances is to be designated the winning
2 chance;

3 (2) the winning chance is to be determined through a
4 drawing or by some other method based on an element of
5 chance by an act or set of acts on the part of persons
6 conducting or connected with the lottery, except that the
7 winning chance shall not be determined by the outcome of a
8 publicly exhibited sporting contest.

9 "Raffle" does not include a savings promotion raffle
10 authorized under Section 5g of the Illinois Banking Act,
11 Section 7008 of the Savings Bank Act, Section 42.7 of the
12 Illinois Credit Union Act, Section 5136B of the National Bank
13 Act (12 U.S.C. 25a), or Section 4 of the Home Owners' Loan Act
14 (12 U.S.C. 1463).

15 (Source: P.A. 97-1150, eff. 1-25-13; 98-644, eff. 6-10-14.)

16 Section 25. The Criminal Code of 2012 is amended by
17 changing Sections 28-1, 28-1.1, and 28-2 as follows:

18 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

19 Sec. 28-1. Gambling.

20 (a) A person commits gambling when he or she:

21 (1) knowingly plays a game of chance or skill for money
22 or other thing of value, unless excepted in subsection (b)
23 of this Section;

24 (2) knowingly makes a wager upon the result of any

1 game, contest, or any political nomination, appointment or
2 election;

3 (3) knowingly operates, keeps, owns, uses, purchases,
4 exhibits, rents, sells, bargains for the sale or lease of,
5 manufactures or distributes any gambling device;

6 (4) contracts to have or give himself or herself or
7 another the option to buy or sell, or contracts to buy or
8 sell, at a future time, any grain or other commodity
9 whatsoever, or any stock or security of any company, where
10 it is at the time of making such contract intended by both
11 parties thereto that the contract to buy or sell, or the
12 option, whenever exercised, or the contract resulting
13 therefrom, shall be settled, not by the receipt or delivery
14 of such property, but by the payment only of differences in
15 prices thereof; however, the issuance, purchase, sale,
16 exercise, endorsement or guarantee, by or through a person
17 registered with the Secretary of State pursuant to Section
18 8 of the Illinois Securities Law of 1953, or by or through
19 a person exempt from such registration under said Section
20 8, of a put, call, or other option to buy or sell
21 securities which have been registered with the Secretary of
22 State or which are exempt from such registration under
23 Section 3 of the Illinois Securities Law of 1953 is not
24 gambling within the meaning of this paragraph (4);

25 (5) knowingly owns or possesses any book, instrument or
26 apparatus by means of which bets or wagers have been, or

1 are, recorded or registered, or knowingly possesses any
2 money which he has received in the course of a bet or
3 wager;

4 (6) knowingly sells pools upon the result of any game
5 or contest of skill or chance, political nomination,
6 appointment or election;

7 (7) knowingly sets up or promotes any lottery or sells,
8 offers to sell or transfers any ticket or share for any
9 lottery;

10 (8) knowingly sets up or promotes any policy game or
11 sells, offers to sell or knowingly possesses or transfers
12 any policy ticket, slip, record, document or other similar
13 device;

14 (9) knowingly drafts, prints or publishes any lottery
15 ticket or share, or any policy ticket, slip, record,
16 document or similar device, except for such activity
17 related to lotteries, bingo games and raffles authorized by
18 and conducted in accordance with the laws of Illinois or
19 any other state or foreign government;

20 (10) knowingly advertises any lottery or policy game,
21 except for such activity related to lotteries, bingo games
22 and raffles authorized by and conducted in accordance with
23 the laws of Illinois or any other state;

24 (11) knowingly transmits information as to wagers,
25 betting odds, or changes in betting odds by telephone,
26 telegraph, radio, semaphore or similar means; or knowingly

1 installs or maintains equipment for the transmission or
2 receipt of such information; except that nothing in this
3 subdivision (11) prohibits transmission or receipt of such
4 information for use in news reporting of sporting events or
5 contests; or

6 (12) knowingly establishes, maintains, or operates an
7 Internet site that permits a person to play a game of
8 chance or skill for money or other thing of value by means
9 of the Internet or to make a wager upon the result of any
10 game, contest, political nomination, appointment, or
11 election by means of the Internet. This item (12) does not
12 apply to activities referenced in items (6) and (6.1) of
13 subsection (b) of this Section.

14 (b) Participants in any of the following activities shall
15 not be convicted of gambling:

16 (1) Agreements to compensate for loss caused by the
17 happening of chance including without limitation contracts
18 of indemnity or guaranty and life or health or accident
19 insurance.

20 (2) Offers of prizes, award or compensation to the
21 actual contestants in any bona fide contest for the
22 determination of skill, speed, strength or endurance or to
23 the owners of animals or vehicles entered in such contest.

24 (3) Pari-mutuel betting as authorized by the law of
25 this State.

26 (4) Manufacture of gambling devices, including the

1 acquisition of essential parts therefor and the assembly
2 thereof, for transportation in interstate or foreign
3 commerce to any place outside this State when such
4 transportation is not prohibited by any applicable Federal
5 law; or the manufacture, distribution, or possession of
6 video gaming terminals, as defined in the Video Gaming Act,
7 by manufacturers, distributors, and terminal operators
8 licensed to do so under the Video Gaming Act.

9 (5) The game commonly known as "bingo", when conducted
10 in accordance with the Bingo License and Tax Act.

11 (6) Lotteries when conducted by the State of Illinois
12 in accordance with the Illinois Lottery Law. This exemption
13 includes any activity conducted by the Department of
14 Revenue to sell lottery tickets pursuant to the provisions
15 of the Illinois Lottery Law and its rules.

16 (6.1) The purchase of lottery tickets through the
17 Internet for a lottery conducted by the State of Illinois
18 under the program established in Section 7.12 of the
19 Illinois Lottery Law.

20 (7) Possession of an antique slot machine that is
21 neither used nor intended to be used in the operation or
22 promotion of any unlawful gambling activity or enterprise.
23 For the purpose of this subparagraph (b)(7), an antique
24 slot machine is one manufactured 25 years ago or earlier.

25 (8) Raffles and poker runs when conducted in accordance
26 with the Raffles and Poker Runs Act.

1 (9) Charitable games when conducted in accordance with
2 the Charitable Games Act.

3 (10) Pull tabs and jar games when conducted under the
4 Illinois Pull Tabs and Jar Games Act.

5 (11) Gambling games conducted on riverboats when
6 authorized by the Riverboat Gambling Act.

7 (12) Video gaming terminal games at a licensed
8 establishment, licensed truck stop establishment, licensed
9 fraternal establishment, or licensed veterans
10 establishment when conducted in accordance with the Video
11 Gaming Act.

12 (13) Games of skill or chance where money or other
13 things of value can be won but no payment or purchase is
14 required to participate.

15 (14) Savings promotion raffles authorized under
16 Section 5g of the Illinois Banking Act, Section 7008 of the
17 Savings Bank Act, Section 42.7 of the Illinois Credit Union
18 Act, Section 5136B of the National Bank Act (12 U.S.C.
19 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.
20 1463).

21 (c) Sentence.

22 Gambling is a Class A misdemeanor. A second or subsequent
23 conviction under subsections (a) (3) through (a) (12), is a Class
24 4 felony.

25 (d) Circumstantial evidence.

26 In prosecutions under this Section circumstantial evidence

1 shall have the same validity and weight as in any criminal
2 prosecution.

3 (Source: P.A. 97-1108, eff. 1-1-13; 98-644, eff. 6-10-14.)

4 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

5 Sec. 28-1.1. Syndicated gambling.

6 (a) Declaration of Purpose. Recognizing the close
7 relationship between professional gambling and other organized
8 crime, it is declared to be the policy of the legislature to
9 restrain persons from engaging in the business of gambling for
10 profit in this State. This Section shall be liberally construed
11 and administered with a view to carrying out this policy.

12 (b) A person commits syndicated gambling when he or she
13 operates a "policy game" or engages in the business of
14 bookmaking.

15 (c) A person "operates a policy game" when he or she
16 knowingly uses any premises or property for the purpose of
17 receiving or knowingly does receive from what is commonly
18 called "policy":

19 (1) money from a person other than the bettor or player
20 whose bets or plays are represented by the money; or

21 (2) written "policy game" records, made or used over
22 any period of time, from a person other than the bettor or
23 player whose bets or plays are represented by the written
24 record.

25 (d) A person engages in bookmaking when he or she knowingly

1 receives or accepts more than five bets or wagers upon the
2 result of any trials or contests of skill, speed or power of
3 endurance or upon any lot, chance, casualty, unknown or
4 contingent event whatsoever, which bets or wagers shall be of
5 such size that the total of the amounts of money paid or
6 promised to be paid to the bookmaker on account thereof shall
7 exceed \$2,000. Bookmaking is the receiving or accepting of bets
8 or wagers regardless of the form or manner in which the
9 bookmaker records them.

10 (e) Participants in any of the following activities shall
11 not be convicted of syndicated gambling:

12 (1) Agreements to compensate for loss caused by the
13 happening of chance including without limitation contracts
14 of indemnity or guaranty and life or health or accident
15 insurance;

16 (2) Offers of prizes, award or compensation to the
17 actual contestants in any bona fide contest for the
18 determination of skill, speed, strength or endurance or to
19 the owners of animals or vehicles entered in the contest;

20 (3) Pari-mutuel betting as authorized by law of this
21 State;

22 (4) Manufacture of gambling devices, including the
23 acquisition of essential parts therefor and the assembly
24 thereof, for transportation in interstate or foreign
25 commerce to any place outside this State when the
26 transportation is not prohibited by any applicable Federal

1 law;

2 (5) Raffles and poker runs when conducted in accordance
3 with the Raffles and Poker Runs Act;

4 (6) Gambling games conducted on riverboats when
5 authorized by the Riverboat Gambling Act; ~~and~~

6 (7) Video gaming terminal games at a licensed
7 establishment, licensed truck stop establishment, licensed
8 fraternal establishment, or licensed veterans
9 establishment when conducted in accordance with the Video
10 Gaming Act; and -

11 (8) Savings promotion raffles authorized under Section
12 5g of the Illinois Banking Act, Section 7008 of the Savings
13 Bank Act, Section 42.7 of the Illinois Credit Union Act,
14 Section 5136B of the National Bank Act (12 U.S.C. 25a), or
15 Section 4 of the Home Owners' Loan Act (12 U.S.C. 1463).

16 (f) Sentence. Syndicated gambling is a Class 3 felony.

17 (Source: P.A. 97-1108, eff. 1-1-13; 98-644, eff. 6-10-14.)

18 (720 ILCS 5/28-2) (from Ch. 38, par. 28-2)

19 Sec. 28-2. Definitions.

20 (a) A "gambling device" is any clock, tape machine, slot
21 machine or other machines or device for the reception of money
22 or other thing of value on chance or skill or upon the action
23 of which money or other thing of value is staked, hazarded,
24 bet, won or lost; or any mechanism, furniture, fixture,
25 equipment or other device designed primarily for use in a

1 gambling place. A "gambling device" does not include:

2 (1) A coin-in-the-slot operated mechanical device
3 played for amusement which rewards the player with the
4 right to replay such mechanical device, which device is so
5 constructed or devised as to make such result of the
6 operation thereof depend in part upon the skill of the
7 player and which returns to the player thereof no money,
8 property or right to receive money or property.

9 (2) Vending machines by which full and adequate return
10 is made for the money invested and in which there is no
11 element of chance or hazard.

12 (3) A crane game. For the purposes of this paragraph
13 (3), a "crane game" is an amusement device involving skill,
14 if it rewards the player exclusively with merchandise
15 contained within the amusement device proper and limited to
16 toys, novelties and prizes other than currency, each having
17 a wholesale value which is not more than \$25.

18 (4) A redemption machine. For the purposes of this
19 paragraph (4), a "redemption machine" is a single-player or
20 multi-player amusement device involving a game, the object
21 of which is throwing, rolling, bowling, shooting, placing,
22 or propelling a ball or other object that is either
23 physical or computer generated on a display or with lights
24 into, upon, or against a hole or other target that is
25 either physical or computer generated on a display or with
26 lights, or stopping, by physical, mechanical, or

1 electronic means, a moving object that is either physical
2 or computer generated on a display or with lights into,
3 upon, or against a hole or other target that is either
4 physical or computer generated on a display or with lights,
5 provided that all of the following conditions are met:

6 (A) The outcome of the game is predominantly
7 determined by the skill of the player.

8 (B) The award of the prize is based solely upon the
9 player's achieving the object of the game or otherwise
10 upon the player's score.

11 (C) Only merchandise prizes are awarded.

12 (D) The wholesale value of prizes awarded in lieu
13 of tickets or tokens for single play of the device does
14 not exceed \$25.

15 (E) The redemption value of tickets, tokens, and
16 other representations of value, which may be
17 accumulated by players to redeem prizes of greater
18 value, for a single play of the device does not exceed
19 \$25.

20 (5) Video gaming terminals at a licensed
21 establishment, licensed truck stop establishment, licensed
22 fraternal establishment, or licensed veterans
23 establishment licensed in accordance with the Video Gaming
24 Act.

25 (a-5) "Internet" means an interactive computer service or
26 system or an information service, system, or access software

1 provider that provides or enables computer access by multiple
2 users to a computer server, and includes, but is not limited
3 to, an information service, system, or access software provider
4 that provides access to a network system commonly known as the
5 Internet, or any comparable system or service and also
6 includes, but is not limited to, a World Wide Web page,
7 newsgroup, message board, mailing list, or chat area on any
8 interactive computer service or system or other online service.

9 (a-6) "Access" and "computer" have the meanings ascribed to
10 them in Section 16D-2 of this Code.

11 (b) A "lottery" is any scheme or procedure whereby one or
12 more prizes are distributed by chance among persons who have
13 paid or promised consideration for a chance to win such prizes,
14 whether such scheme or procedure is called a lottery, raffle,
15 gift, sale or some other name, excluding savings promotion
16 raffles authorized under Section 5q of the Illinois Banking
17 Act, Section 7008 of the Savings Bank Act, Section 42.7 of the
18 Illinois Credit Union Act, Section 5136B of the National Bank
19 Act (12 U.S.C. 25a), or Section 4 of the Home Owners' Loan Act
20 (12 U.S.C. 1463).

21 (c) A "policy game" is any scheme or procedure whereby a
22 person promises or guarantees by any instrument, bill,
23 certificate, writing, token or other device that any particular
24 number, character, ticket or certificate shall in the event of
25 any contingency in the nature of a lottery entitle the
26 purchaser or holder to receive money, property or evidence of

1 debt.

2 (Source: P.A. 97-1126, eff. 1-1-13; 98-31, eff. 6-24-13.)".